

STATE OF MICHIGAN
CIRCUIT COURT FOR THE 30TH JUDICIAL CIRCUIT
INGHAM COUNTY

COMMISSIONER OF INSURANCE
FOR THE STATE OF MICHIGAN,
Petitioner,

File No. 98-88265-CR

v

Hon. James R. Giddings

MICHIGAN HEALTH MAINTENANCE
ORGANIZATION PLANS, INC., a
Michigan health maintenance organization,
doing business as OmniCare Health Plan,
Respondent.

MARK J. ZAUSMER (P31721)
AMY M. SITNER (P46900)
Zausmer, Kaufman, August & Caldwell, P.C.
Attorneys for Petitioner
31700 Middlebelt Road, Suite 150
Farmington Hills, MI 48334
(248) 851-4111

ORDER REGARDING THE CLAIM PRIORITY
OF THE DETROIT MEDICAL CENTER'S
PROOF OF CLAIM DATED FEBRUARY 15, 2005
ALLEGING, *INTER ALIA*, BREACH OF CONTRACT
AND MISREPRESENTATION

At as session of said Court, held in the Courtroom thereof, in the
City of Lansing, County of Ingham, State of Michigan, this

November 8, 2005

PRESENT: HON. _____

CIRCUIT COURT JUDGE

This matter having come before the Court on the Court's May 12, 2005, Corrected and
Amended Order Setting Briefing Schedule and Establishing Notice Procedure with Respect to the
Issue of the Priority of Provider Claims, Briefs having been filed and the Court having heard oral

argument and being otherwise fully advised in the premises:

IT IS HEREBY ORDERED that, for the reasons stated on the record at the October 28, 2005 hearing, the issue of the priority of the Detroit Medical Center's Proof of Claim dated February 15, 2005, alleging *inter alia* breach of contract and misrepresentation, if the court process ultimately results in a ruling that the claim is otherwise valid, is taken under advisement by the Court for determination at a later date.

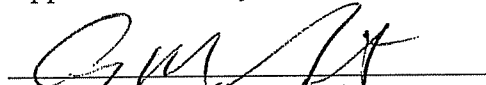
IT IS FURTHER ORDERED that because DMC contends its claim is Class 2, consistent with MCL 500.8142(1), no payments on Class 2 or lower claims will be made while the above-referenced Detroit Medical Center Proof of Claim remains unresolved, unless adequate funds are retained for payment of the amount alleged in that claim.

This is not a final order.

JAMES R. GIDDINGS


CIRCUIT COURT JUDGE

Approved for entry:


Mark J. Zausmer (P31721)

Amy M. Sitner (P46900)

Attorneys for the Liquidator


Charles N. Raimi (P29746) *with permission*
Attorney for DMC